

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

**SONTERRA CAPITAL MASTER FUND,  
LTD., HAYMAN CAPITAL  
MANAGEMENT, L.P., and CALIFORNIA  
STATE TEACHERS' RETIREMENT  
SYSTEM, on behalf of themselves and all  
others similarly situated,**

**Plaintiffs,**

**v.**

**UBS AG, *et al.*,**

**Defendants.**

**No. 15-cv-05844 (GBD) (HP)**

**DECLARATION OF Kiyoshi Nakajima**

I, Kiyoshi Nakajima, declare the following:

1. I am the general manager of the New York branch office of The Shoko Chukin Bank, Ltd. ("Shoko Chukin Bank") and submit this declaration in support of its motion to dismiss the plaintiffs' complaint for lack of personal jurisdiction. The facts stated herein are true to the best of my knowledge, and based on my work experience at Shoko Chukin Bank and its records maintained in the regular course of its business.

2. Shoko Chukin Bank is a Japanese financial institution that was reorganized from a Japanese government affiliated financial institution into a joint stock company on October 1, 2008, pursuant to a special act of the Japanese government, the Shoko Chukin Bank Limited Act (Act No. 74 of 2007).

3. Shoko Chukin Bank's headquarters are and have been at 10-17, 2-Chome, Yaesu, Chuo-ku, Tokyo 104-0028, Japan. The principal place of business of Shoko Chukin Bank is and has been in Japan.

4. Shoko Chukin Bank has more than ninety branch offices in Japan. Shoko Chukin Bank has a single branch office in New York City, New York, and no other business or operations in the United States.


5. The New York branch office's primary business is to provide lending services to clients of Shoko Chukin Bank. Since 2006, the New York branch office has been responsible for less than 1 percent of the loan business of Shoko Chukin Bank, and less than 1.1 percent of its assets.

6. The New York branch office has not been responsible for, or involved with, submitting rates to the Japanese Bankers Association in Japan for its use in calculating Euroyen TIBOR. The Shoko Chukin Bank employees and their supervisors responsible for those submissions have made those submissions from Shoko Chukin Bank's offices in Japan.

7. Since 2006, the New York branch office has not engaged in trades of Euroyen-based derivatives.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 27 day of January, 2016 in New York City, New York.

A handwritten signature in black ink, appearing to read "R. Rahaj", is written over a horizontal line.